

Amdt. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

REMARKS/ARGUMENTS

Claim Amendments

Applicants have amended claims 13, 35, 56.

Claim Rejections

The Examiner rejected claims 1-3, 8, 12-14, 16-25, 30, 34-36, 38-47, 52, and 55-64 under 35 U.S.C. 103(a) as being unpatentable over Anand (US 5,974,416) in view of Peltonen (US 5,926,807). Additionally, the Examiner rejected claims 4-7, 10, 11, 26-29, 32, 33, 48-51, and 54 under 35 U.S.C. 103(a) as being unpatentable over the combination of Anand and Peltonen and further in view of Bredenberg (US 5,918,224). The Examiner has also cited additional references (mentioned later) in rejecting certain claims. Applicants traverse the rejections of claims 1-64.

Independent claims 1, 23, 45

Independent claims 1, 23, 45 are a method, system and computer readable media for accessing data in a distributed database environment, comprising:

receiving, with a client program, multiple requests for data from a database object satisfying specified search predicates from an application program, wherein each request includes a request for at least one row from the database object;

transferring, with the client program, a database command and a rowset parameter indicating a maximum number of rows to return to a server program over a network if the requested row is not maintained by the client program;

generating a data block with the server program including rows from the database object satisfying the search predicates in response to the database command, wherein the rows included in the data block do not exceed the rowset parameter;



Amdt. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

transferring, with the server program, the data block to the client program; and returning, with the client program, at least one requested row from the received data block in response to one request for the at least one row of data from the application program.

The Examiner has rejected claim 1, 23, and 45 as being unpatentable over Anand (Fig. 1, Reference numerals 10, 130; Fig. 2, Reference numeral 190; FIG. 4, Reference numerals 420, 430, 460) in view of Peltonen (col. 3, lines 15-38 and Fig. 17). Applicants traverse.

The claims require transferring, with a client program to a server program, a database command and a rowset parameter indicating a maximum number of rows if the requested row is not maintained by the client program and transferring with the server program a data block to client program, wherein the rows included in the data block do not exceed the rowset parameter.

The Examiner acknowledges that nowhere does the cited Anand teach or suggest the claim requirement of transferring, with a client program to a server program, a database command and a rowset parameter indicating a maximum number of rows if the requested row is not maintained by the client program.

The cited Peltonen discusses how to retain data only for a certain number of rows in order to effectively represent the rows with a limited amount of memory. Furthermore, the cited Pentonen discusses that when a request is received for rows whose data is not retained the missing data is retrieved from a database.

However, nowhere does the cited Peltonen teach or suggest the claim requirement of transferring, with a client program to a server program, a database command and a rowset parameter indicating a maximum number of rows if the requested row is not maintained by the client program. The cited Peltonen discusses whether to keep the data for a row or bookmark corresponding to the data for a row.

Col. 3, lines 15-38 of Peltonen cited by the Examiner discusses how a table manages the amount of memory consumed to represent the result set by determining the level of row data information that each segment maintains for its rows. Fig. 17 of Peltonen cited by the Examiner discusses how a client program can retrieve a specified number of rows starting at or near the



Arndt, dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

row that is the specified percentage of the total number of rows in the result set from the beginning of the result set. Nowhere does the cited Peltonen teach or suggest the claim requirement of transferring, with a client program to a server program, a database command and a rowset parameter indicating a maximum number of rows if the requested row is not maintained by the client program.

Therefore, neither the cited Anand nor the cited Peltonen teach or suggest the claim the claim requirement of transferring, with a client program to a server program, a database command and a rowset parameter indicating a maximum number of rows if the requested row is not maintained by the client program.

For the above reasons, claims 1, 23 and 45 are patentable because the cited Anand and Peltonen does not teach or suggest all the claim limitations either alone or in combination.

Claims 2-12, 24-34, 46-55

The Examiner has also rejected pending claims 2-12, 24-34, 46-55 that depend on the pending independent claims 1, 23, and 45 respectively. Applicants submit that these claims are patentable over the cited art because they depend from claims 1, 23, and 45 respectively which are patentable over the cited art for the reason discussed above, and because the combination of the limitations in the dependent claims 2-12, 24-34, 46-55 and the base and intervening claims from which they depend provide further grounds of distinction over the cited art.

Claim 2, 24

Claim 2 depends from claim 1, and further requires that the multiple requests specify orientation information for a row from the database object satisfying the specified search predicates.

The Examiner has found that Anand (FIG. 4, reference 450) discusses orientation information for a row and has rejected claim 2 under 35 U.S.C. §103(a). The cited Anand discusses how to package a rowset as a message. Nowhere does the cited Anand teach or



Amtd. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

suggest the claim requirement that the multiple requests specify orientation information for a row from the database object satisfying the specified search predicates.

Therefore, claims 2 and 24 are patentable over the cited Anand and the cited Peltonen because the cited Anand and the cited Peltonen does not teach or suggest all the claim limitations either alone or in combination.

Claims 3, 25

Claim 3 depends from claim 1, and further requires that the server program maintains a maximum block size parameter, and wherein the data block is further generated to not exceed the block size parameter.

The Examiner has found that Anand (abstract) discusses a maximum block size parameter and has rejected claim 3 under 35 U.S.C. §103(a). The cited Anand discusses tabular data streams for exchanging data between a client and a server. However, nowhere does the cited Anand disclose the claim requirement that the server program maintains a maximum block size parameter, and wherein the data block is further generated to not exceed the block size parameter.

Therefore, claims 3 and 25 are patentable over the cited Anand because the cited Anand does not teach or suggest all the claim limitations.

Claims 12, 34

Claim 12 depends from claim 1 and further comprises:

determining, with the client program, whether the data block includes less rows than the rowset parameter;

determining, with the client program, a difference between the rowset parameter and a number of rows included in the data block if the data block includes less rows than the rowset parameter; and



Amtd. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

sending, with the client program, a command to the server program to transmit the difference of rows.

The Examiner found acknowledges that the combination of Anand and Peltonen fails to teach or suggest the limitations of claims 12 and 24.

The Examiner found that Peltonen discloses adjusting the size of the rowset and concludes that an ordinarily skilled artisan would have been modified to modify the combination for the purpose of adjusting the size of the result set and the claimed combination would have been obvious to one of ordinary skill in the art.

According to the Manual of Patent Examining Procedure (MPEP) §2143.01 (8th Edition published August 2001, page 2100-124) "fact that references can be combined or modified is not sufficient to establish *prima facie obviousness*" and "the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." Applicants submit that the Examiner's proposed modifications of Anand and Peltonen is improper because the Examiner has not provided any objective teaching of a suggestion or proper motivation that would teach or suggest the claim requirements. The motivation provided by the Examiner is that the ordinarily skilled artisan would have been motivated to modify Anand for the purpose of adjusting the size of the result set is adequate and improper. The claim requires the client program to the command to the server to transmit the difference of rows. Additionally, There is no teaching or suggestion in either the cited Anand or the cited Peltonen for determining, with the client program, whether the data block includes less rows than the rowset parameter; determining, with the client program, a difference between the rowset parameter and a number of rows included in the data block if the data block includes less rows than the rowset parameter; and sending, with the client program, a command to the server program to transmit the difference of rows.

Therefore claims 12 and 34 are patentable the cited Anand and the cited Peltonen because the cited Anand and the cited Peltonen does not teach or suggest all the claim limitations, either alone or in combination.



Amtd. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

Amended Independent claims 13, 35

Amended independent claim 13 is a method for accessing data in a distributed database environment, comprising:

receiving, with a client program, multiple requests for at least one row of data from a database object satisfying specified search predicates from an application program, wherein each request includes a request for at least one row from the database object satisfying the specified search predicates;

transferring, with the client program, a database command and a rowset parameter indicating a maximum number of rows to return to a first server program over a network if the requested row is not maintained by the client program;

transferring, with the first server program, a database command and the rowset parameter to a second server program over the network if the requested row is not maintained by the first server program;

generating a first data block with the second server program including rows from the database object satisfying the search predicates in response to the database command, wherein the rows included in the first data block do not exceed the rowset parameter;

transferring, with the second server program, the first data block to the first server program;

generating second data block with the first server program including rows from the first data block, wherein the rows in the second data block do not exceed the rowset parameter.;

transferring, with the first server program, the second data block to the client program; and

returning, with the client program, at least one requested row from the received data block in response to one request for at least one row of data from the application program.

The claims require an application program, a client program, a first server program, and a second server program, wherein the first server program transfers the database command and the rowset parameter to a second server program over the network if the requested row is not



Amdt. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

maintained by the first server program, and wherein the rowset parameter indicates a maximum number of rows to return to the first server program over a network if the requested row is not maintained by the client program, and wherein the second data block is generated with the first server program including rows from the first data block generated by the second server program, wherein the rows in the second data block do not exceed the rowset parameter.

The Examiner acknowledges that neither Anand nor Peltonen discloses generating a second data block with the first server program including rows from the first data block generated by the second server program, wherein the rows in the second data block do not exceed the rowset parameter. The Examiner found that an ordinarily skilled artisan would have been motivated to modify the combination of Anand and Peltonen to include generating a second data block with the first server program including rows from the first data block generated by the second server program, wherein the rows in the second data block do not exceed the rowset parameter.

According to the Manual of Patent Examining Procedure (MPEP) §2143.01 (8th Edition published August 2001, page 2100-124) "fact that references can be combined or modified is not sufficient to establish *prima facie obviousness*" and "the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." Applicants submit that the Examiner's proposed modifications of Anand and Peltonen is improper because the Examiner has not provided any objective teaching of a suggestion or proper motivation that would teach or suggest the claim requirements. According to the Examiner the motivation to the ordinarily skilled artisan for modifying the combination of Anand and Peltonen would be for the purpose of effectively representing query results in a limited amount of memory and this motivation is improper and inadequate. Furthermore, modification of the combination for the purpose of performing multiple searches is also an improper and inadequate motivation. Representing query results in a limited amount of memory or performing multiple searches does not suggest modifying the combination of Anand and Peltonen. In particular performing multiple searches does not require two server



Amtd. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

programs as required by the claims. Furthermore, there is no teaching or suggestion in either the cited Anand or the cited Peltonen requiring an application program, a client program, a first server program, and a second server program, wherein the first server program transfers the database command and the rowset parameter to a second server program over the network if the requested row is not maintained by the first server program, and wherein the rowset parameter indicates a maximum number of rows to return to the first server program over a network if the requested row is not maintained by the client program, and wherein the second data block is generated with the first server program including rows from the first data block generated by the second server program, wherein the rows in the second data block do not exceed the rowset parameter.

For the above reasons, claim 13 and 35 are patentable over the cited Anand and Pentonen because the cited Anand and the cite Pentonen does not teach or suggest all the claim limitations, either alone or in combination.

Amended Independent Claim 56

Claim 56 is a multiple computer readable media including instructions in a client program, first server program, and second server program that communicate over a network to cause computers to enable access to data in a network distributed database environment by:

receiving, with the client program, multiple requests for at least one row of data from a database object satisfying specified search predicates from an application program, wherein each request includes a request for at least one row from the database object satisfying the specified search predicates;

transferring, with the client program, a database command and a rowset parameter indicating a maximum number of rows to return to the first server program over a network if the requested row is not maintained by the client program;



Amtd. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

transferring, with the first server program, a database command and the rowset parameter to a second server program over the network if the requested row is not maintained by the first server program;

generating a first data block with the second server program including rows from the database object satisfying the search predicates in response to the database command, wherein the rows included in the first data block do not exceed the rowset parameter;

transferring, with the first second server program, the first data block to the first server program;

generating a second data block with the first server program including rows from the first data block, wherein the rows in the second data block do not exceed the rowset parameter;

transferring, with the first server program, the second data block to the client program;
and

returning, with the client program, at least one requested row from the received data block in response to one request for the at least one row of data from the application program.

The Examiner acknowledges that neither Anand nor Peltonen teach or suggest the claim requirements. The Examiner has proposed modifications to the Anand for the purpose of effectively representing results in a limited amount of memory. Furthermore, the Examiner has proposed modifications to the combination of Anand and Peltonen for the purpose of performing a comprehensive search of a distributed database. Applicants submit that the modifications proposed by the Examiner are improper and provide inadequate motivation. Comprehensive search of a distributed database does not suggest the claim requirement of a first and a second server program, wherein the second sever program generates a first data block to transfer to the first server program, and wherein the first server program generates a second data block and sends the second data block to the client program. Furthermore, there is no teaching or suggestion in the cited Anand and Pentonen for the claim requirements.



Amtd. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

For the above reasons, claim 56 is patentable over the cited Anand and Pentonen because the cited Anand and the cite Pentonen does not teach or suggest all the claim limitations, either alone or in combination.

Claims 14-22, and 36-44, 57-64

The Examiner has also rejected pending claims 14-22, 36-44, and 57-64 that depend on the pending independent claims 13, 35, and 56 respectively. Applicants submit that these claims are patentable over the cited art because they depend from claims 13, 35, and 56 which are patentable over the cited art for the reason discussed above, and because the combination of the limitations in the dependent claims 14-22, 36-44, 57-64 and the base and intervening claims from which they depend provide further grounds of distinction over the cited art.

Claims 16, 38, and 47

Claim 16 depends on claim 13, wherein the second server program maintains a block limit, wherein a number of rows the second server program includes in the first data block further does not exceed the block limit.

The Examiner acknowledges that the combination of Anand and Peltonen fails to disclose the claim requirement of the second server program maintaining a block limit, wherein a number of rows the second server program includes in the first data block further does not exceed the block limit.

The Examiner has indicated that a skilled artisan would have been motivated to modify the combination of Anand and Peltonen for the purpose of including the search to other elements of a distributed database. Applicants submit that the Examiner's proposed modification of Anand and Peltonen is improper because the Examiner has not provided any objective teaching of a suggestion or proper motivation that would teach or suggest the claim requirements. Searching other elements of a distributed database does not in any way suggest the claim requirements. Furthermore, there is no teaching or suggestion in either the cited Anand or the cited Peltonen to



Amtd. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

teach or suggest the claim requirement of of the second server program maintaining a block limit, wherein a number of rows the second server program includes in the first data block further does not exceed the block limit.

For the above reasons, claims 16, 38, and 47 are patentable over the cited Anand and Pentonen because the cited Anand and the cite Pentonen does not teach or suggest all the claim limitations, either alone or in combination.

Claims 17, 39

Claim 17 depends on claim 13, wherein the first server program maintains a first block limit and wherein the second data block further does not exceed the first block limit and wherein the second server program maintains a second block limit, wherein the first data block further does not exceed the second block limit.

The Examiner acknowledges that Anand and Pentonen does not teach or suggest the claim

requirements. However, the Examiner finds that an ordinarily skilled artisan would have been motivated to modify the combination of Anand and Pentonen to arrive at the claim requirements in order to conform the first and second block limits to the maximum block limit. The motivation to modify the combination of Anand and Pentonen is improper and inadequate.

For the above reasons, claims 17, 39 are patentable over the cited Anand and Peltonen because the cited Anand and the cite Peltonen does not teach or suggest all the claim limitations, either alone or in combination.

Claims 18, 40

Claim 18 depends on claim 17, wherein the first block limit is greater than the second block limit and both are less than the limit imposed by the rowset parameter and wherein generating the second data block with the first server program from the rows in the first data block comprises:



Amdt. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

adding all the rows from the first data block to the second data block, wherein the rows added to the second data block is less than the rowset parameter;

transmitting, with the first server program, a database command to the second server program requesting a shortfall of rows equal to the rowset parameter minus the number of rows added to the second data block; and

receiving, with the first server program, a third data block from the second server program including the shortfall of rows;

adding, with the first server program, rows from the third data block, up to the first block limit, to the pending second data block;

repeating the sending of a database command to the second server program and the receiving of additional rows until the first block limit is satisfied; and

returning the second data block to the client program.

The Examiner has found that a skilled artisan would have been motivated to modify the combination of Anand and Peltonen for the purpose of performing multiple searches to arrive at the claim limitations. The Applicants submit that the motivation is improper and inadequate because multiple searches does not require adding, transmitting, receiving, adding, repeating, and returning as required by the claims. Therefore, the modifications to the proposed combination of Anand and Peltonen is inadequate and improper.

For the above reasons, claims 18, 40 are patentable over the cited Anand and Peltonen because the cited Anand and the cited Peltonen does not teach or suggest all the claim limitations, either alone or in combination.

Claims 19, 41

Claim 19 depends on claim 19, wherein the first and second block limits are less than the rowset parameter size, and further comprises:



Amdt. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

determining, at the client program, that the number of rows in the second data block is less than the rowset parameter size; and

transmitting, with the client program, a command requesting further rows to include in additional data blocks to send to the client program until the rowset parameter number of rows have been transferred to the client program.

The Examiner has found that a skilled artisan would have been motivated to modify the combination of Anand and Peltonen for the purpose of performing multiple searches to arrive at the claim limitations. The Applicants submit that the motivation is improper and inadequate because multiple searches does not motivate, teach or suggest, determining the number of rows and transmitting a request for further rows as required by the claims. Therefore, the modifications to the proposed combination of Anand and Peltonen is inadequate and improper.

For the above reasons, claims 19 and 41 are patentable over the cited Anand and Peltonen because the cited Anand and the cite Peltonen does not teach or suggest all the claim limitations, either alone or in combination.

Claims 20, 42

Claim 20 depends on claim 19, and further comprises:

transmitting, with the client program, a command to the first server program to clear pending data blocks for the rowset and pending rowset status.

The Examiner has found that a skilled artisan would have been motivated to modify the combination of Anand and Peltonen for the purpose of deleting data to arrive at the claim limitations. The Applicants submit that the motivation is improper and inadequate because deleting data does not motivate, teach or suggest transmitting, with the client program, a command to the first server program to clear pending data blocks for the rowset and pending rowset status and the modifications to the combination of Anand and Peltonen. Therefore, the modifications to the proposed combination of Anand and Peltonen is inadequate and improper.



Amtd. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

For the above reasons, claims 20 and 42 are patentable over the cited Anand and Peltonen because the cited Anand and the cite Peltonen does not teach or suggest all the claim limitations, either alone or in combination.

Claim 22, 44

Claim 22 depends on claim 19, wherein the first block limit is less than the second block limit and both are less than the limit imposed by the rowset parameter, and wherein generating the second data block with the first server program further comprises:

adding some of the rows from the first data block to the second data block, up to the first block limit; and

returning the second data block to the client program, and retaining any unsent rows from the first data block.

The Examiner has found that a skilled artisan would have been motivated to modify the combination of Anand and Peltonen for the purpose of performing multiple searches to arrive at the claim limitations. The Applicants submit that the motivation is improper and inadequate because multiple searches does not motivate, teach or suggest adding some of the rows from the first data block to the second data block, up to the first block limit and returning the second data block to the client program, and retaining any unsent rows from the first data block. Therefore, the modifications to the proposed combination of Anand and Peltonen is inadequate and improper.

For the above reasons, claims 22 and 44 are patentable over the cited Anand and Peltonen because the cited Anand and the cite Peltonen does not teach or suggest all the claim limitations, either alone or in combination.

Claim 55

Claim 55 depends from claim 45 and further comprises:

Page 33 of 37

A

Amndt. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

determining, with the client program, whether the data block includes less rows than the rowset parameter;

determining, with the client program, a difference between the rowset parameter and a number of rows included in the data block if the data block includes less rows than the rowset parameter; and

sending, with the client program, a command to the server program to transmit the difference of rows.

The Examiner found the claim limitations inherent in the combination of Anand and Peltonen. Applicants submit that the claim limitations are not inherent in the combination of Anand and Peltonen.

For the above reasons, claim 55 is patentable over the cited Anand and Peltonen because the cited Anand and the cited Peltonen does not teach or suggest all the claim limitations, either alone or in combination.

Claims 57-64

Claims 57-64 have been rejected by the Examiner by indicating various motivations for modifying the combination of Anand and Peltonen including searching for other elements in a distributed database, performing multiple searches, effectively representing query results in a limited amount of memory, and for the purpose of deleting data. All such motivations are inadequate and improper for modifying the combination of Anand and Peltonen as discussed in earlier related system and method claims.

For the above reasons, claims 57-64 are patentable over the cited Anand and Peltonen because the cited Anand and the cited Peltonen does not teach or suggest all the claim limitations, either alone or in combination.



Amdt. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

Claims 4, 26, 28

Claim 4 depends on claim 1, wherein the multiple requests received by the client program from the application program comprise single-row fetch requests and the rows from the database object that satisfy the search predicates are returned as part of a scrollable cursor created by the application program.

The Examiner mentions that Bredenberg discloses a scrollable cursor that Anand and Peltonen fails to disclose. The Examiner motivates a modification to the combination of Anand, Peltonen and Bredenberg for rejecting the claims, where the motivation is based on eliminating the need for multiple user requests in order to select data from data records. The Applicants submit that the motivation is adequate and improper and scrollable cursors may be implemented in many ways and the claim requirement that multiple requests received by the client program from the application program comprise single-row fetch requests and the rows from the database object that satisfy the search predicates are returned as part of a scrollable cursor created by the application program are not motivated by eliminating the need for multiple user requests.

For the above reasons, claims 4, 26, 28 are patentable over the cited Anand, Peltonen and Bredenberg because the cited Anand, the cited Peltonen, and the cited Bredenberg does not teach or suggest all the claim limitations, either alone or in combination.

Claims 9, 31, 53

Claim 9 depends on claim 1, wherein the search predicates are defined with a database cursor that provides a result table subset of the database object that satisfies the search predicates.

The Examiner has rejected claim 9 under 35 U.S.C. 103(a) as being unpatentable over Anand, Peltonen, and Delo (US 6,606,618).

The cited Delo (col 8, lines 51-64) discusses hashed indices and database cursors. Nowhere does the cited Delo teach or suggest the claim requirements that the search predicates are defined with a database cursor that provides a result table subset of the database object that satisfies the search predicates.

Amendt. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

For the above reasons, claims 9, 31, 53 are patentable over the cited Anand, Peltonen and Bredenberg because the cited Anand, the cited Peltonen, and the cited Bredenberg does not teach or suggest all the claim limitations, either alone or in combination.

Claims 15, 37

Claim 15 depends from claim 14, wherein generating the second data block with the first server program from the rows in the first data block comprises:

adding rows from the first data block to the second data block until a size of the second data block reaches one of the rowset parameter or the block limit; and

buffering the rows in the first data block that are not added to the second data block.

The Examiner has rejected claim 15 under 35 U.S.C. §103 in view of Anand, Peltonen and Duddleson (US Pub. No. 2002/0040639).

The cited Duddleson discloses buffering of rows and the Examiner provides a modification to Duddleson whose motivation is providing a region in memory for use as an intermediate repository. This is an inadequate and improper motivation for modifying the combination of Duddleson, Anand and Peltonen to arrive at the claims.

For the above reasons, claims 15, and 37 are patentable over the cited art, because the cited art do not teach or suggest, nor can be modified to teach or suggest, either alone or in combination, all the claim limitations.

Conclusion

For all the above reasons, Applicant submits that the pending claims 1-64 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 50-0585.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.



Am dt. dated January 12, 2004
Reply to Office action of 10/10/2003

Serial No. 09/819,476
Docket No. STL920000078US1
Firm No. 0055.0028

Dated: January 12, 2004

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